



General Assembly

February Session, 2004

Raised Bill No. 5065

LCO No. 445

00445_____PS_

Referred to Committee on Public Safety

Introduced by:
(PS)

AN ACT CONCERNING THE REGULATION OF AMUSEMENT RIDES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-132 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 All amusement rides and devices in the state shall be inspected at
4 least once in each calendar year, and as often as the Commissioner of
5 Public Safety directs. The commissioner shall approve one or more
6 qualified inspectors or civil engineers familiar with the construction
7 and use of gravity and other amusement rides and devices to conduct
8 such inspections. A reasonable fee for such inspection, to be
9 determined by the commissioner, shall be paid to such inspector or
10 engineer by the owner, lessee or operator of such ride or device. No
11 amusement ride or device used for the carrying of passengers shall be
12 operated in the state unless the same has been inspected by such an
13 inspector or engineer and the inspector or engineer has certified to the
14 commissioner that, in his judgment, the same is reasonably safe for
15 public use. Any person aggrieved by the refusal of such inspector or
16 engineer to grant such certificate of safety shall have the right of
17 appeal to the commissioner, who may, after due hearing, if he is of the

18 opinion that such ride or device is safe for public use, issue a license
19 therefor. Upon receipt of such certificate, if the applicant has complied
20 with the provisions of sections 29-129 to 29-143a, inclusive, as
21 amended by this act, a license shall be issued by the commissioner, and
22 he may issue temporary licenses to operate such rides or devices
23 pending inspection or final hearing upon the application when, in his
24 judgment, fairness and equity require it.

25 Sec. 2. Section 29-136 of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2004*):

27 (a) On receipt of an application for an amusement license, the
28 Commissioner of Public Safety shall cause a full investigation and
29 inspection of the location, equipment, paraphernalia, mechanical
30 amusement rides and devices in respect to such amusement and all
31 other matters relating thereto to be made and shall determine whether
32 or not such amusement will be reasonably safe for public attendance
33 and may make reasonable orders concerning alterations, additions or
34 betterments to the equipment, paraphernalia, mechanical amusement
35 rides and devices, and concerning the character and arrangement of
36 the seating, means of egress, lighting, fire-fighting appliances, fire and
37 police protection and such other provisions as shall make the
38 amusement reasonably safe against both fire and casualty hazards.

39 (b) When any serious physical injury, as defined in subdivision (4)
40 of section 53a-3, or death occurs in connection with the operation of
41 any amusement ride or device, the owner of such ride or device shall,
42 within four hours after such occurrence, report the injury or death to
43 the commissioner or his designee. Within four hours after receipt of
44 any such report, the commissioner or his designee shall cause an
45 investigation of the occurrence and an inspection of the ride or device
46 to determine the cause of such serious physical injury or death. The
47 commissioner or his designee may enter into any place or upon any
48 premises so licensed in furtherance of such investigation and
49 inspection. Unless otherwise authorized by the commissioner, no

50 amusement ride or device subject to the provisions of this chapter may
51 be operated or altered nor shall it be removed from the location where
52 such injury or death occurred for seventy-two hours after the time of
53 the receipt of the report.

54 (c) The commissioner may adopt regulations in accordance with the
55 provisions of chapter 54 to carry out the provisions of this section.

56 (d) The Commissioner of Public Safety may grant variations or
57 exemptions from, or approve equivalent or alternate compliance with,
58 particular provisions of this section or any regulation adopted under
59 the provisions of subsection (c) of this section where strict compliance
60 with such provisions would entail practical difficulty or unnecessary
61 hardship, or is otherwise adjudged unwarranted, provided any such
62 variation, exemption or approved equivalent or alternate compliance
63 shall, in the opinion of the Commissioner of Public Safety, secure the
64 public safety.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

Statement of Purpose:

To allow the Commissioner of Public Safety to (1) approve qualified inspectors to conduct inspections of amusement rides and devices in the state, and (2) grant variations or exemptions from, or approve equivalent or alternative compliance with, the provisions of section 29-136, under certain circumstances.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]